IE Vulnerable Donors Policy

1. Purpose

Operation Smile is committed to carrying out all fundraising activities in a manner that is respectful, ethical, transparent and compliant with the practices laid out by the Irish Charities Regulator. This policy aims to protect donors who may be in vulnerable circumstances and to ensure that fundraising activities do not exploit, pressure or disadvantage any individual. The policy is aligned with the Charities Regulator's Guidelines for Charitable Organisations on Fundraising from the Public, which emphasise respect, honesty, integrity, transparency and accountability in fundraising. As set out in the HSE National Policy and Procedures (2014), the following principles are critical to the safeguarding of vulnerable adults from abuse.

2. Scope

This policy applies to:

- All employees.
- Trustees/directors.
- Volunteers.
- Third-party fundraisers acting on behalf of the organisation.
- Any person engaged in fundraising activities for the organisation.

The policy applies across all fundraising channels, including:

- Face-to-face fundraising
- Telephone fundraising
- Direct mail
- Digital fundraising
- Events and community fundraising
- Legacy and major donor fundraising

3. Principles

Operation Smile IE will ensure that all fundraising activities:

1. Respect the dignity and autonomy of all supporters

2. Never exploit vulnerability
3. Avoid pressure or manipulation
4. Prioritise supporter wellbeing over income
5. Respond with empathy and sensitivity
6. Support informed decision-making

If there is any doubt about a person's ability to make a donation, fundraisers must **not** accept the donation.

4. Definition of a Vulnerable Donor

An adult may be considered vulnerable if they are over 18 years of age and their personal circumstances make them unable to make an informed and freely given decision about making a donation. Everyone has the potential to experience vulnerability. These circumstances may be temporary or situational, or they may be permanent. Circumstances that put people in a vulnerable position includes difficult life events, certain mental or physical health conditions, or cognitive difficulties.

Examples of vulnerability include:

Financial vulnerability

- Concern that donating may cause financial hardship
- Living on limited income, benefits, or supported housing
- Recent redundancy or financial crisis

Health-related vulnerability

- Physical illness
- Mental health conditions
- Cognitive impairment
- Severe stress or emotional distress

Life circumstances

- Recent bereavement
- Isolation or loneliness

Significant personal crisis

- Language or communication barriers

Decision-making capacity concerns

Indicators may include:

- Confusion about the donation

- Difficulty understanding information provided
- Inability to clearly confirm intent

5. Identifying Vulnerability

Fundraisers should be alert to verbal, behavioural, or contextual signs that a donor may be vulnerable, such as:

- Statements suggesting **financial hardship** or that a donation could affect their ability to **meet essential needs**
- **Confusion** about the purpose of the donation
- **Difficulty understanding** information provided or **repeated requests** for explanation
- Indications of **cognitive impairment**
- Appearing **distressed, anxious or emotionally overwhelmed,** or mentioning **serious illness or mental health challenges**

Indicators of a Vulnerable Donor

A donor may be considered vulnerable if there are indicators such as:

Category	Indicators
Age-related vulnerability	Confusion about donation purpose, memory difficulties, inability to recall previous conversations, signs of cognitive decline or dementia.
Physical or Mental	Mental illness, depression, anxiety, learning disabilities, cognitive impairment, serious illness affecting decision-making.
Financial Circ	Expressing financial hardship, concerns about paying bills, relying solely on state benefits, difficulty understanding donation amounts.
Bereavement or Trauma	Recent loss of a loved one, serious diagnosis, experiencing a crisis or significant emotional distress.
Communication Difficulties	Difficulty understanding information, requiring repeated explanations, language barriers, hearing impairments, inability to process complex information.
Dependence on Others	A third party appears to be directing or controlling the donation decision.
Evidence of Pressure	Appears coerced, rushed, reluctant, or unable to freely consent.
Intoxication or Impaired Judgment	Appearing under the influence of alcohol, drugs, medication, or severe emotional distress.
Repeated Giving Concerns	Very frequent donations beyond normal patterns, donations disproportionate to apparent means, obsessional giving behaviour.

Staff should recognise that vulnerability may not always be obvious and may change over time. If a fundraiser notices any signs that an adult is not in a position to make the donation, **they should not accept one**. Instead, the fundraiser should pivot to offering information if appropriate or politely ending the conversation.

The presence of one indicator does not automatically mean a person is vulnerable. Staff must apply reasonable judgement. The purpose of this policy is to is to protect the vulnerable, not to make judgments about anyone's circumstances.

6. Fundraising Conduct

It is the duty of fundraisers to:

- Communicate clearly and honestly
- Allow sufficient time for decision-making
- Answer questions openly
- Provide information in accessible formats where possible
- Respect requests to end conversations

Fundraisers must **not:**

- Apply pressure or use aggressive sales techniques
- Exploit emotional circumstances
- Ask for donations beyond a donor's apparent means
- Continue a solicitation where a donor appears unable to provide informed consent
- Accept a donation if there are serious concerns regarding capacity or undue influence

Where vulnerability is identified or suspected, fundraisers must:

1. Pause the fundraising interaction: Stop discussing donations immediately.
2. Respond empathetically: Acknowledge the individual's situation with care and respect.
3. Offer to end the interaction: Allow the supporter to disengage without pressure.
4. Do not accept donations: If capacity or vulnerability is in doubt, the donation must not be processed.
5. Record and report: Follow internal procedures to log the concern appropriately.

6. Respect preferences: Where appropriate, update communication preferences to limit further contact.

Existing Donations

If concerns arise *after* a donation has been received, the organisation may:

- Contact the donor to verify consent
- Seek additional information where appropriate
- Refund the donation where it appears informed consent was absent

7. Communication Channels

This policy applies to all communication methods.

Telephone

- Do not continue fundraising if vulnerability is indicated.
- Provide clear explanations.
- Allow time for questions.

Face-to-Face

- Avoid pressuring individuals in public spaces.
- If vulnerability is suspected, respectfully disengage.
- Digital (Email, Social Media, Online Donations)
- Ensure messaging is clear and transparent
- Avoid emotionally manipulative content
- Provide easy ways to opt out or decline

Direct Mail

- Avoid repeated requests where vulnerability has been recorded
- Ensure messaging is sensitive and respectful
- Events
- Staff and volunteers must be trained to identify vulnerability and respond appropriately.

8. Recording and Data Protection

Where vulnerability is identified:

- Relevant information may be recorded only where necessary
- Records must comply with data protection regulations
- Information will be used solely to protect supporters from inappropriate fundraising contact
- Data relating to vulnerability will be handled sensitively and securely. Records will be maintained in accordance with GDPR and applicable Irish data protection requirements.

9. Training and Awareness

Operation Smile IE will ensure that:

- All fundraising staff receive training on identifying and responding to vulnerability
- Contractors and agencies follow equivalent standards
- Staff understand the Code of Fundraising Practice requirements

Training will include:

- Recognising vulnerability
- Ethical fundraising conduct
- Handling difficult conversations
- Escalation procedures

10. Complaints

Any donor, family member, representative or member of the public may raise concerns regarding fundraising practices.

Complaints may be submitted to:
Operation Smile Ireland
31 Pembroke Road
Dublin 4
D04 V8N9 Email: info@operationsmile.ie Phone: 01 667 6659
All complaints will be investigated promptly and fairly in line with the organisation's complaints procedure.

11. Third-Party Fundraisers

Any agency or other third-party provider contracted to fundraise on behalf of Operation Smile UK must:

- Comply with this policy

- Follow the Code of Fundraising Practice
- Ensure staff receive appropriate safeguarding training
- Report any incidents involving vulnerable individuals

12. Monitoring and Review

The Board of Trustees shall review this policy at least every two years, or sooner if legislative, regulatory or operational changes require it.

Fundraising management shall report any significant issues relating to vulnerable donors to the Board.